

## REMARKS

These remarks are responsive to the Office Action, dated September 16, 2003. Claims 1-97 are pending in the application, with claims 1, 14, 27, 38, 45, 58, 71, 82 and 89. Claims 1, 2, 12, 14, 15, 27, 28, 42, 43, 45, 46, 48, 56, 58, 59, 71, 72, 86, 87, 93, and 94 have been amended.

In the Office Action, dated September 16, 2003, the Examiner objected to claims 1, 14, 27, 45, 58, and 71. The Applicants amended claims 1, 14, 27, 45, 58, and 71 to accommodate Examiner's objections.

In the Office Action, dated September 16, 2003, the Examiner rejected claims 2, 4, 12, 15, 27-37, 42-43, 46, 48, 56, 59, 71-81, 86-87, and 93-94 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claims the subject matter which applicants regard as the invention. This rejection is respectfully traversed.

In the September 16, 2003 Office Action, the Examiner rejected claims 1-4, 8, 10, 12-13, 45-48, 52, 54, and 56-57 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,385,303 to Peterson *et al.* (hereinafter "Peterson"). This rejection is respectfully traversed.

In the September 16, 2003 Office Action, the Examiner rejected claims 14-25, 27-36, 38-39, 41-44, 58-69, 71-80, 82-83, 85-90, and 92-93 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,623,537 to Ensor *et al.* (hereinafter "Ensor"). The Applicants respectfully traverse this rejection.

### Objections

The Applicants amended claims 1, 14, 27, 45, 58, and 71 to accommodate Examiner's objections. Therefore, these objections are now moot and the Applicants respectfully request that the Examiner reconsider and withdraw his objections.

35 U.S.C. 112

In the September 16, 2003 Office Action, the Examiner rejected claims 2, 4, 12, 15, 27-37, 42-43, 46, 48, 56, 59, 71-81, 86-87, and 93-94 under 35 U.S.C. 112, second paragraph. The Applicants amended claims 2, 4, 12, 15, 27-37, 42-43, 46, 48, 56, 59, 71-81, 86-87, and 93-94 to accommodate Examiner's rejections. Specifically, the Applicants amended claims 2, 4, 12, 15, 28, 43, 46, 48, 56, 59, 72, 87, and 94 to provide proper antecedent basis for the term "CPE." The Applicants amended claims 27 and 71 to provide proper antecedent basis for the term "voice message." The Applicants amended claims 42, 86, and 93 to add a period "." at the end of each claim. Thus, these rejections are now moot and the Examiner is respectfully requested to reconsider and withdraw his rejections.

35 U.S.C. 102

In the September 16, 2003 Office Action, the Examiner rejected claims 1 under 35 U.S.C. 102(e) as being anticipated by Peterson. The Applicants respectfully traverse this rejection.

Claim 1 of the present application recites a method of broadcasting incoming call information from a local customer premises equipment ("CPE") to at least one remote CPE, the method comprising the steps of taking the local CPE off-hook, receiving an incoming voice message, and broadcasting the incoming voice message over a communications network to the at least one remote CPE.

Peterson discloses a system and method for identifying and announcing a caller and a callee of an incoming telephone call. In Peterson, a "master" telephone set is connected to a number of "slave" telephone sets. An incoming call causes each of the telephones to go "off-

hook.” While only the master telephone prompts the caller for identity information, all of the telephones receive the reply directly. Thus, the information identifying the caller and/or callee is processed by both the master and the slave telephone sets. (Col. 15, lines 13-18). In contrast, in the present invention, only the local CPE receives an incoming voice message. The local CPE then broadcasts the received voice message to a remote CPE. The remote CPE does not receive the voice message simultaneously with the local CPE.

*Clear don't say that*

Since Peterson fails to disclose every element of claim 1, claim 1 is not anticipated by Peterson and should be allowed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 1.

Independent claim 45 is not anticipated by Peterson for at least the same reasons stated above with respect to claim 1. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 45.

Claims 2-4, 8, 10, 12-13, 46-48, 52, 54, and 56-57 are dependent on the independent claims 1 and 45, respectively. As such, claims 2-4, 8, 10, 12-13, 46-48, 52, 54, and 56-57 are not anticipated by Peterson for at least the same reasons presented above with respect to claims 1 and 45. The Applicants respectfully request that the Examiner reconsider and withdraw his rejections of claims 2-4, 8, 10, 12-13, 46-48, 52, 54, and 56-57.

Claims 5-7, 9, 11, 49-51, 53, and 55 are dependent on the independent claims 1 and 45, respectively. As such, claims 6-7, 9, 11, 50-51, 53, and 55 are also novel over Peterson for at least the same reasons stated above with respect to claims 1 and 45. Therefore, the Applicants respectfully request that the Examiner withdraw his objections to claims 5-7, 9, 11, 49-51, 53, and 55.

In the September 16, 2003 Office Action, the Examiner rejected claim 14 under 35 U.S.C. 102(b) as being anticipated by Ensor. This rejection is respectfully traversed.

Claim 14 recites a method of broadcasting incoming call information from a local customer premises equipment ("CPE") to at least one remote CPE, the method comprising the steps of receiving incoming caller data at the local CPE, determining, at the local CPE, a corresponding voice message as a function of at least a portion of the incoming caller data, and broadcasting, using the local CPE, the voice message over a communications network to the at least one remote CPE.

Ensor discloses a telephone message center that includes a plurality of adjunct units communicating with a controller unit, where the adjunct units may be located in different geographical locations. (See, Col. 3, lines 1-11 and Col. 4, lines 7-18). The controller unit is able to associate a name or other identifying information with the incoming caller ID information. (See, Col. 4, lines 33-50). However, the Ensor's telephone message center does not determine, at a local CPE, a corresponding voice message as a function of at least a portion of the incoming caller data, as recited by claim 14. Instead, Ensor's controller unit, not located at a local CPE, associates a name or other information with the incoming caller data and then broadcasts it to an adjunct unit. (See, Col. 4, lines 42-44). In contrast, in claim 14, the local CPE determines a voice message to be sent as a function of the caller data.

Since Ensor fails to disclose every element of claim 14, claim 14 is not anticipated by Ensor and should be allowed. The Examiner is respectfully requested to reconsider and withdraw his rejection of claim 14.

Independent claims 27, 38, 58, 71, 82, and 89 are not anticipated by Ensor for at least the same reasons stated above with respect to claim 14. The Examiner is respectfully requested to reconsider and withdraw his rejection of claims 27, 38, 58, 71, 82, and 89.

Claims 15-25, 28, 36, 39, 41-44, 59-69, 71-80, 83, 85-88, 90, and 92-93 are dependent on the respective independent claims 14, 27, 38, 58, 71, 82, and 89. Thus, claims 15-25, 28, 36, 39, 41-44, 59-69, 71-80, 83, 85-88, 90, and 92-93 are not anticipated by Ensor for at least the same reasons presented above with respect to claim 14. The Examiner is respectfully requested to reconsider and withdraw his rejections of claims 15-25, 28, 36, 39, 41-44, 59-69, 71-80, 83, 85-88, 90, and 92-93.

Claims 26, 40, 70, 84, and 91 are dependent on the respective independent claims 14, 38, 58, and 91. Thus, claims 26, 40, 70, 84, and 91 are not anticipated by Ensor for at least the same reasons stated above with respect to claim 14. The Examiner is respectfully requested to reconsider and withdraw his objections with respect to claims 26, 40, 70, 84, and 91.

Other Matters

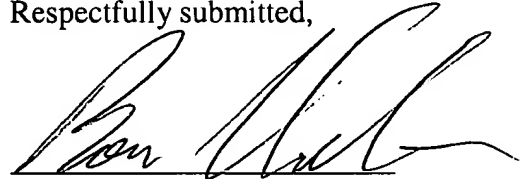
Claims 37, 81, and 94-97 were not rejected or objected to by the Examiner. Thus, the Applicants deem these claims to be allowed.

Additionally, the subject matter of these claims is not disclosed, taught or suggested by Ensor for at least the same reasons stated above with respect to claim 14.

No new matter has been added.

The claims currently presented are proper and definite. Allowance is accordingly in order and respectfully requested. However, should the Examiner deem that further clarification of the record is in order, we invite a telephone call to the Applicants' undersigned attorney to expedite further processing of the application to allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Boris A. Matvenko', written over a horizontal line.

Date: December 16, 2003

Boris A. Matvenko  
Reg. No.: 48,165  
GIBBONS, DEL DEO, DOLAN,  
GRIFFINGER & VECCHIONE, P.C  
One Pennsylvania Plaza, 37th Floor  
New York, New York 10119  
(212) 649-4700